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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,782	07/01/2003	Budd O. Libby	SGI-74-CIP2	9688
7590 Mr. Tim F. Williams Dority & Manning, P.A. P.O. Box 1449 Greenville, SC 29602		05/07/2008	EXAMINER HARPER, TRAMAR YONG	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 05/07/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/612,782

**Applicant(s)**

LIBBY ET AL.

**Examiner**

TRAMAR HARPER

**Art Unit**

3714

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 20-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

Examiner acknowledges receipt of Request for Continued Examination filed 04/17/08. Examiner acknowledges receipt of amendment/arguments filed 04/17/08. The arguments set forth are addressed herein below. Claims 1-19 have been cancelled, and claims 20-28 are newly added.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 20-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malone (US 6,585,590).**

**Claims 20-21 and 24-25:** Malone discloses a bingo system comprising a bingo game server which generates a bingo game linked to gaming terminals for providing bingo games. The server implements the following steps:

- (a) providing a plurality of unique game cards and enabling players to purchase the cards via remote game client computers/terminals, wherein at least one game is a winning card.
- (b) suspends the purchase of game cards
- (c) after suspending purchasing of game cards generates numbers to obtain a sequence of calls.

(d) applies the sequence of calls to each purchased game card and identifies the at least one winning game card.

(e) after step (d), the server transmits the sequence of calls applied in step (d) (e.g. sequence including a winning sequence) to each remote client which has been used to purchase the at least one game card.

(f) the server on each game client repeats the sequence of calls applied in step (d) until the at least one winning game card is identified.

Malone discloses that the numbers may be applied to the cards as they are generated until the winning card or cards are determined, which is a clear interpretation that the transmitted sequence of calls to the remote clients is respective of the winning sequence of drawn bingo numbers (Abstract, Col. 2:1-27, Col. 4:43-45, Figs. 4-6). The system includes a random number generator for generating a random sequence of calls. The system further includes a call application module (ticket validation module) and winning card identification module for applying the sequence of calls to the purchased game cards stored in the server and identifying at least one winning card (Col. 5:60-Col. 6:4).

Malone discloses the above, but fails to teach at least one gaming terminal configured to dispense bingo tickets to players. Malone clearly discloses that players can purchase bingo cards via remote game computers (abstract). Itkis et al discloses a promotional bingo game system wherein players can receive paper bingo cards via kiosks and electronic bingo cards via electronic terminals (Abstract, ¶19). It would have been obvious to one of ordinary skill in the art at the time the invention was made to

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have modified the bingo gaming system of Malone with the bingo card dispenser of Itkis for purposes of providing players more than one way to participate in a the bingo game. The players that have access to electronic units can participate and check there cards via the electronic unit and players without such assess can track progress of the game or play the game via the paper card/ticket.

Malone discloses the above but fails to disclose an animated drawing subsystem including a video library for generating/compiling video segments respective of drawn numbers including winning numbers into a bingo game video. Graves teaches an animated drawing subsystem that comprises pre-recorded video clips that can take the form of a live bail caller or person that draws and announces bingo numbers or it can take the form of an animated character performing the same function (Spec. Col. 4:21-40). Graves teaches that as the bingo game events occur the host computer/server transmits data and code related to the respective pre-recorded clips, which are stored at the remote terminals; and the remote terminals use the codes to compile a video representation of the bingo game events (Col. 6:33-44). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the bingo system of Malone to include the animation drawing subsystem of Graves to provide a more simulated or realistic bingo environment to the player. Malone discloses that the invention is drawn toward giving the appearance of a bingo game in real time (Col. 6:15-20, Col. 7:5-10) e.g. the winner card is determined prior to actual game play but the player is given the appearance of a game occurring in real time. A visual

stimulus such as Graves's animation subsystem would provide such an appearance to the player by providing a realistic audiovisual representation (Graves - Abstract).

**Claims 22 and 26-27:** Malone discloses that purchased cards, including identifying information, are stored in a storage device within the server (Col. 5:55-56). The system further includes a call application module (ticket validation module) and winning card identification module for applying the sequence of calls to the purchased game cards stored in the server and identifying at least one winning card (Col. 5:60-Col. 6:4). Itkis discloses that each bingo ticket has a corresponding ticket identifier (Abstract, Fig. 2). Graves discloses that each ticket is stored and has a corresponding ticket identifier (Col. 5:44-59).

**Claims 23 and 28:** All of the above references refer to the bingo game as playable on the internet. Furthermore, Itkis discloses that bingo games are known in the art as playable on the Internet sites (¶ 1). This allows multiple players to participate in the bingo game by allowing players to participate from remote locations. Therefore, it would have been obvious to one of ordinary skill in the art to modify the bingo game, as taught above, to be published or playable on internet sites in order to allow multiple players to participate in the bingo game by allowing players to participate from remote locations.

### ***Response to Arguments***

Applicant's arguments with respect to claim 20-28 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Gatto (US 6,921,331) teaches randomly selecting an actual bingo outcome and providing a video sequence respective of the actual outcome.**

**Roseman (US 6,012,984) teaches playing bingo via internet sites.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRAMAR HARPER whose telephone number is (571)272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TH

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/Ronald Laneau/  
Supervisory Patent Examiner, Art Unit 3714  
5/05/08